

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,  
Plaintiff,  
v.  
RENE OSWALD COBAR, et al.,  
Defendants.

2:07-CR-00014 JCM (RJJ)

Date: N/A  
Time: N/A

## ORDER

Presently before the court are Magistrate Robert Johnston's report and recommendations, which were filed on January 23, 2009. (Doc. #173.) Judge Johnston recommended that the defendant's motion to dismiss the indictment for prosecutorial vindictiveness be denied.

Local Rule IB 3-2 states that any party wishing to object to the findings and recommendations of a magistrate judge shall, within ten (10) days from the date of service of the findings and recommendations, file and serve specific written objections together with points and authorities in support thereof. This court then conducts a *de novo* determination of those portions of the specified findings or recommendations to which objections have been made. Here, no objections were filed.

Upon review of the magistrate judge's findings and recommendations and there being no objections filed,

1 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Magistrate Judge  
2 Johnston's report and recommendations (Doc. # 173) are AFFIRMED in their entirety.

3 DATED this 4<sup>th</sup> day of February, 2009.

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5 *James C. Mahan*  
6 **UNITED STATES DISTRICT JUDGE**  
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